

Public Chapter 339

HOUSE BILL NO. 615

By Representatives Westmoreland, Bird, Ronnie Cole

Substituted for: Senate Bill No. 1175

By Senators Ramsey, Cohen

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 6, relative to invasions of privacy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 6, is amended by adding the following as a new section:

Section \_\_\_\_.

(a)(1) Except as provided in subsection (b), it is an offense for a person to knowingly install, conceal or otherwise place an electronic tracking device in or on a motor vehicle without the consent of all owners of such vehicle for the purpose of monitoring or following an occupant or occupants of such vehicle.

(2) As used in this section "person" shall not include the manufacturer of the motor vehicle.

(b)(1) It shall not be a violation if the installing, concealing or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a law enforcement officer in furtherance of a criminal investigation and is carried out in accordance with applicable state and federal law.

(2) If the installing, concealing or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a parent or legal guardian who owns or leases such vehicle, and if such device is used solely for the purpose of monitoring the minor child of such parent or legal guardian when such child is an occupant of such vehicle, then the installation, concealment or placement of such device in or on such vehicle without the consent of any or all occupants in such vehicle shall not be a violation.

(3) It shall also not be a violation of this section if the installing, concealing or placing of an electronic tracking device in or on a motor vehicle is for the purpose of tracking the location of stolen goods being transported in such vehicle or for the purpose of tracking the location of such vehicle if it is stolen.

(c) The provisions of this section shall not apply to a tracking system installed by the manufacturer of a motor vehicle.

(d) A violation of this section is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 1997, the public welfare requiring it.